

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

**DEBRA SPERO, as Natural Mother of
V.S., an infant,**

Plaintiffs,

v.

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT
AND JUDGMENT ON THE
PLEADINGS**

Civil Action No.: 3:17-cv-00007

**VESTAL CENTRAL SCHOOL DISTRICT
BOARD OF EDUCATION, VESTAL CENTRAL
SCHOOL DISTRICT, JEFFREY AHEARN,
Superintendent of Schools, ALBERT A. PENNA,
Interim Principal of Vestal High School,
DEBORAH CADDICK and CLIFFORD KASSON,
in their Individual and Official Capacities,**

Defendants,

PLEASE TAKE NOTICE, that upon the Declaration of Frank W. Miller, Esq., dated October 26, 2017; the Affidavit of Jeffrey Ahearn, sworn to May 15, 2017; the Affidavit of Deborah Caddick, sworn to on May 15, 2017; the Affidavit of Katharine Dyer, sworn to on May 15, 2017; the Affidavit of Wendy DeWind, sworn to on May 15, 2017; the Defendants' Statement of Material Facts; and the Defendants' Memorandum of Law in Support of Motion for Summary Judgment and for Judgment on the Pleadings, the Defendants will move this Court at the Federal Building and U.S. Courthouse, 100 South Clinton Street, Syracuse, New York at 10:00 a.m. on December 7, 2017, or as soon thereafter as those Defendants may be heard, for an Order pursuant to Rules 56 and 12(c) of the Federal Rules of Civil Procedure in Defendants'

favor granting summary judgment and otherwise dismissing all causes of action alleged against them in the Plaintiffs' Complaint.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Local Rule 7.1(b)(1) of the Court, answering papers, if any, shall be served on or before November 20, 2017.

Dated: October 26, 2017
East Syracuse, New York

Respectfully submitted,

The Law Firm of Frank W. Miller

s/Frank W. Miller, Esq.

Bar Roll No.: 102203

Attorneys for Defendants

Office and Post Office Address:

6575 Kirkville Road

East Syracuse, New York 13057

Telephone: 315-234-9900

Facsimile: 315-234-9908

fmiller@fwmillerlawfirm.com